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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,274	10/09/2003	Yoshikazu Ohara	4074-8	5972
23117	7590	03/31/2006	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			DICKEY, THOMAS L	
			ART UNIT	PAPER NUMBER
			2826	

DATE MAILED: 03/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

HA

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 10/681,274</p>	<p>Applicant(s) OHARA, YOSHIKAZU</p>	
	<p>Examiner Thomas L. Dickey</p>	<p>Art Unit 2826</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 March 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☒ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

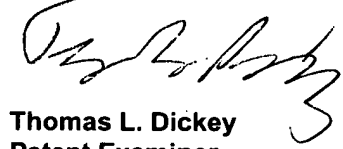
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: 4-6 and 13.
- Claim(s) objected to: _____.
- Claim(s) rejected: 1-3, 7-12 and 26-30.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.



Thomas L. Dickey
Patent Examiner
Art Unit 2826

Continuation of 3. NOTE: It is argued, at page 7 of the remarks, that "Claim 1 requires that only the region of the semiconductor chip that corresponds to the portion where the groove is formed is flexible." In other words (words Applicant has used before in claims 27-30) that "areas of the semiconductor chip where no groove is formed are not flexible." However, as explained in the final rejection with regard to claims 27-30 (claims Applicant now offers to cancel in response to this explanation), there is no support in the application as filed for a claim that any part of the semiconductor chip is not flexible. Therefore proposed claims 1-3 and 7-12 fail to meet the written description requirement of §112 paragraph 1.

Continuation of 11. does NOT place the application in condition for allowance because: It is argued, at page 8 of the remarks, that "A 'groove' is a 'long narrow furrow or channel.' See The American Heritage Dictionary, Third Edition, Office Edition (1994). This common well known and ordinary definition of 'groove' clearly does not read on only the portion under element 912 in Fig. 41 of Okada, because this small area in Okada is not long and narrow. Thus, the Office Action's attempt to exclude areas 961-964 from the alleged 'groove.'" However, The Examiner relies not on figure 41 (which Applicant argues fails to disclose the claimed groove), but on figure 40. It would make no sense for the Examiner to rely on figure 41, because the Examiner specifically states that the grooves are "seen under a portion 912 of the element non-forming region 912-913." In the plan view of figure 41 only the top of portion 912 is visible. Only in the section view of figure 40 can one see the grooves under portion 912. Note, column 21 lines 5-9, that Okada et al. specifically disclose forming, in Okada et al.'s word, "grooves" formed at the lower surface of a region of a main substrate by, for example, etching, cause the thickness of that region to be thin, thus allowing the region of the main substrate formed over the grooves to have flexibility relative to the rest. Although Okada et al. simply draws the grooves under flexible portions 912 in figure 40 without commenting on their purpose or even their very existence, it is clear from context that they are grooves.